Extra No. 164

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LXVI] FRIDAY, DECEMBER 13, 2025 / AGRAHAYANA 22, 1947

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Central Acts

LABOUR SKILL DEVELOPMENT AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 11th December, 2025

OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS. CODE, 2020.

No. GR/2025/159/LED/BRC/e-file/11/2025/2193/M3: in exercise of the power conferred in Section 37 of Occupational Safety, Health and Working Conditions. Code, 2020, the Government of Gujarat hereby formulates the following scheme makes for start-up establishments of class of establishments, namely:-

1. Short title, application and commencement- (1) These rules may be called The Gujarat Factories (Occupational Health & Safety Audit) Scheme, 2025.

(2) It shall apply to the following categories of factories, namely:

(a) Category I Factories;

(b) Category II Factories; and

(c) Category III Factories,

(3) It shall come into force at once.

2. Definitions. – (1) In the Gujarat Factories (Occuaptional Health and Safety Audit Scheme, 2020 (hereinafter called "the Scheme") unless the context otherwise requires, -

(a) "Code" means the Occupational Safety, Health and Working Conditions. Code, 2020;

(b) "Category I Factory" means factories involving major accident hazard (MAH) installations as defined under clause (ja) of rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, asamended from time to time;

(c) "Category II Factories" means

(i) factories wherein the "hazardous process" defined under clause (za) of section 2 of the Code is involved or carried out; or

(ii) factories involving isolated storage and industrial activity at a site handling (including transport through carrier or pipeline) of hazardous chemicals under section 84 of the Occupational Safety, Health and Working Conditions. Code, 2020.

OR

factories involving isolated storage and industrial activity at a site handling (including transport through carrier or pipeline) of hazardous chemicals less than the threshold quantities specified in column 3 of Schedules 2 and 3 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 but greater than 100 litres or kg at a time;

(d) "Category III Factories" means factories other than Category I Factories and Category II Factories andlicensed to employ more than 100 workers on any day;

(e) "Chief Inspector cum Facilitator" means Chief Inspector cum Facilitator of Factories or Director Industrial Safety and Health of Gujarat State appointed under sub-section (1) of section 34 of the Code;

(f) "Degree" means the degree of a State Government recognized University or an Institution;

(g) "Form" means Form appended to this Scheme;

(h) "Government" means the Government of Gujarat;

(i) "hazardous chemical" means a hazardous chemical as defined clause (e) of rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989;

(j) "occupational health & Safety audit" means a systematic, objective assessment and documental evaluationof the safety systems, practices, operations and procedures related to the management of occupational healthand safety pertaining to the storage & handling of chemicals, unit processes and workplace hazards in and pertaining to Category I Factories, Category II Factories and Category III Factories;

(k) "Occupational Health and Safety Auditor" means a person or an organization recognized by the Chief Inspector cum Facilitator of Factories as Occupational Health and Safety Auditor, for the purpose of carrying out Occupational Health and Safety audits;

(l) "Section" means section of the Code.

(m) "Schedule" means the Schedule appended to these rules;

(2) Words and expressions used herein but not defined shall have the same meanings as are respectively assigned to them in the Code or rules made thereunder.

3. Conducting Occupational Health and Safety Audit.- The occupier shall arrange to carry out an Occupational Health and Safety Audit, as follows: -

(1) Internally, at intervals not exceeding twelve months, by factory staff,

(2) externally, by an Occupational Health and Safety Auditor recognized by Chief Inspector cum Facilitator at following intervals, namely :-

(a) Once in two years for Category I Factories;

(b) Once in three years for Category II Factories; and

(c) Once in four years for Category III Factories:

Provided that, in the year when external occupational health and safety audit is carried out,internal audit need not be carried out for that year:

Provided further that after commencement of the Scheme, the Occupier shall arrangeto carry out an occupational health and safety audit, -

(i) Internally, by factory staff within a period of six months from such commencement; and

(ii) Externally, by an Occupational health and safety Auditor recognized by Chief Inspector cum Facilitator,within a period of twelve months from such commencement.

Provided further that, if any changes in manufacturing process or plant or storage of hazardous chemicals in factory, the occupier shall arrange to carry out fresh occupational health and safety audit.

4. Occupational Health and Safety Auditor. -

(1) The Chief Inspector cum Facilitator may recognize a person or an organization having persons possessing qualifications, experience and fulfilling other requirements as specified in the Schedule-I hereto as Occupational Health and Safety Auditor, for a period not exceeding two years from the date of such recognition.

(2) The person or an organization desirous of being recognized as Occupational Health and Safety Auditor under this Scheme, shall submit to the Chief Inspector cum Facilitator an application in Form I or Form II, as the case maybe, accompanied with the documents specified in the Schedule-I.

(3) The Chief Inspector cum Facilitator, upon receipt of an application under sub-rule (2), shall recognize the applicant personor an organization as Occupational Health and Safety Auditor based on criteria specified in Schedule-I andissue a certificate of recognition in the Form III or reject the application specifying the reasons therefore.

(4) The Chief Inspector cum Facilitator may, after giving an opportunity to the Occupational Health and Safety Auditor of being heard, revoke the certificate of recognition,-

(a) if he has a reason to believe that the Occupational Health and Safety Auditor has violated any condition stipulated in the certificate of recognition; or

(b) for any other reason to be recorded in writing:

Provided that if the certificate of recognition as occupational health and safety auditor is revoked twice, applicant shall not be eligible for recognition of occupational health and safety auditor.

(5) The Chief Inspector cum Facilitator may from time to time fix the total number of such Occupational Health and Safety Auditor to be appointed depending on the total quantum of work available in the State and the manner in which applications are to be invited.

(6) The Occupational Health and Safety Auditor shall maintain a logbook of all Occupational Health and Safety audits undertaken by him indicating the name and address of the audited factory, name of the person who has carried out safety audit, contact persons, date of the audit and date of submission of the audit report tothe Occupier. It shall be produced as and when required by officers of The Chief Inspector cum Facilitator.

(7) The Occupational Health and Safety Auditor and the person authorized to carry out Safety audit shall not conduct Occupational Health and Safety Audit of any factory where such auditor or person is employed, oran occupier, partner, director, or manager of that factory, or of any factory owned, operated, managed, or conducted by immediate family members, relatives or extended family members or wherein that auditor orsuch person has any direct or indirect interest whatsoever. An auditor or such person shall not carry out theOccupational Health and safety audit of those factories to which that auditor or such person supplies any plant, machinery, raw material, safety equipment or other materials or equipment.

(8) The Occupational Health and Safety Auditor and the person authorized to carry out safety audit shall not disclose, even after he cease to be a recognized auditor or employee of the institution, any manufacturing or commercial secrets or working processes or other confidential information which may come to his knowledge in the course of their duties as an auditor. Any failure in this regard may make such auditor or person liable for criminal or civil proceedings, in accordance with the law for the time being in force.

(9) The recognition granted under sub-rule (3) shall be valid for two years from the date of issue of Certificate of Recognition.

(10) The application for renewal of recognition as Occupational Health and safety auditor shall be made at leastthree months before the expiry of the period of recognition and the procedure stated in sub rule (2) shall apply *mutatis mutandis* for its renewal.

5. Methodology for conducting Occupational Health and Safety Audit. - An occupational health and safety auditshall be carried out as per relevant Indian standards, the Indian Standard Code of Practice on Occupational Healthand Safety Audit as updated from time to time.

6. Submission of Reports. –

(1) The Occupational Health and Safety Auditor shall within one month from the date of completion of safetyaudit forward to the Occupier of the factory a Safety Audit Report in *Pro forma* prescribed under Schedule II on the letter head and his recommendations regarding improvement of the occupational health and safety system in a factory.

Provided that if during safety audit, auditor finds any hazard posing danger of causing an accident, he shall immediately communicate in writing to the occupier as well as to the Chief Inspector cum Facilitator. In such case,the occupier shall take immediate corrective action.

(2) The Occupier shall, within thirty days of the receipt of the Safety Audit Report in *pro forma* prescribed under Schedule II, forward the same to the concerned office of the Chief Inspector cum Facilitator or Directorate of Industrial Safety and Health along with the action taken report in pursuant to the recommendations made in the Safety Audit Report.

SCHEDULE - I

(See rule 4(1))

The applicant, for being recognized as Occupational Health and Safety Auditor, shall possess the following qualifications and experience, etc.:-

1. Academic Qualification and Experience.- The applicant shall hold, -

(i) A degree in branch of Chemical Engineering or Mechanical Engineering or Production Engineering or Electrical Engineering from recognized university and having five years' of experience in either manufacturing, maintenance, design, project or safety department in factory and Diploma in Industrial safety from state government recognized Board or Institution.

or

(ii) A Master degree of Science with Physics and/or Chemistry and having seven years of experience in either manufacturing, maintenance, design, project or safety Department in factory and Diploma in Industrial safety from state government recognized Board or Institution.

2. The applicant shall not be directly or indirectly interested in the factory or in any process or business carried on therein or in any patent or machine connected therewith, in respect of which the safety audit is to be conducted.

3. The applicant shall not be above age of 62 and shall be physically fit for the purpose of carrying out the safety audit.

SCHEDULE - II

(See rule 6)

***Pro forma* for Occupational Health and Safety Audit Report**

1. Name and address of the factory :
2. Name of the Occupier :
3. Date of Audit :
4. List of raw material with maximum storage quantity :
5. List of finished products with maximum storage quantity :
6. Manufacturing process flow chart with process parameters and material balance :
7. Name of the Safety Auditor and Certificate No. and name of the person who has carried out safetyaudit :
8. Whether enclosed Safety Audit Report as per relevant Indian standard or any such standards prevailingat the relevant time, whichever is latest :

Place:

Date:

Signature of Occupational Health and Safety Auditor/Person or employee of an Institution Authorized to carry out safety audit

I (Name of Occupier) undertake to submit the action taken report on recommendations of Safety Audit on or before …….....

Place:

Date: Signature of the Occupier.

Form I

(See rule 4 (2))

Form of Application for Recognition / Renewal of a person as Occupational Health and Safety Auditor

(1) Name of the Applicant:

(2) Full Residential Address:

(3) Date of Birth:

(4) E-mail ID:

(5) Contact No. :

(6) Educational qualifications:(Enclose certificates)

(7) Details of professional experience.:(In chronological order)

PHOTO

Name of the Organization	Period of Service	Designation	Area of responsibility

(8) Membership, if any, of professional bodies :

(9) Any other relevant information :

(10) Whether the person has been recognized as an Occupational Health and Safety Auditor under any other statute.
If so, give details. :

(11) For renewal of recognition : Certificate No.....

(attach existing certificate) & Date.....

Declaration by the Applicant:

I,……, hereby declare that the information furnished above is true and I undertake to fulfil and abide by the conditions stipulated in the certificate of recognition and instructions issued by the Chief Inspector cum Facilitator from time to time, if any.

Place:

Date: **Signature of Applicant**

Form II

(See rule 4 (2))

Form of Application for Recognition / Renewal of an Organization as Occupational Health and Safety Auditor

1) Name and full address of the Organization **:**

2) Organization's status (Specify whether Government, Autonomous, Co-operative, corporate or private) **:**

3) Whether the organization has been recognized as an Occupational Health and Safety Auditor under any other statute.
If so, give details. **:**

4) Particulars of person's employed possessing qualification and experience (enclose certificates) **:**

Sr. No.	Name and Designation	Qualifications	Experience
(1)			
(2)			

5) Membership, if any, of professional bodies **:**

6) Any other relevant information **:**

7) For renewal of recognition **:** Certificate No.....

(Attach existing certificate) & Date.....

Declaration:

I,……hereby, on behalf of……..…….certify that the details furnished above are correct to the best of my knowledge, I undertake to

(i) notify the Chief Inspector cum Facilitator about any change in the details of employees (either additions or deletion).

(ii) to fulfil and abide by all the conditions stipulated in the certificate of recognition and instructions issued bythe Chief Inspector cum Facilitator from time to time

Place:
Date:

Signature of Head of the Organization Or of the person authorized to sign on behalf of Organization.
Designation

Form III

(See rule 4 (3))

Certificate of Recognition to a Person or an Organization as Occupational Health and Safety Auditor

I, …….. in exercise of the powers conferred on me under rule 4 (3) of the Gujarat Factories (Occupational Health and Safety Auditor) Rules 2025, hereby recognize (name of the person or an organization) for providing Occupational Health and Safety Audit services to the factories located in the State of Gujarat.

This certificate is valid from ……..... to ……..... This certificate issued is subject to the conditions stipulated hereunder:-

(i) The Occupational Health and Safety Audit shall be carried out in accordance with the provisions of the said Scheme.

(ii) The Occupational Health and Safety Audit shall be carried out by the recognized person only.

(iii) The organization recognized shall keep the Chief Inspector cum Facilitator informed of the changes in the names, designationsand qualifications of the persons authorized by it to carry out Occupational Health and Safety Audit

(iv) Statement of Occupational Health and Safety Audit done shall be submitted to the Chief Inspector cum Facilitator on quarterlybasis in the format as may be specified.

Station:

Date:

Official Seal

_____

Chief Inspector cum Facilitator of Factories
Gujarat State

By order and in the name of the Governor of Gujarat,

DRASHTI SHAH,

Deputy Secretary to Government.

Government Central Press, Gandhinagar.

Signature Not Verified
Signed by : BHOLUSINGH G THAKUR
Senior Manager
Government Central Press,
Gandhinagar
Date : 2025.12.20 10:42:24 IST